THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.3276 of 2005

Between:

Mittapalli Goverdhan and others. … Petitioners

and

The Collector and others. … Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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ORDER:

Petitioners seek to issue a Writ of Mandamus declaring the action of the respondents in not reassigning the land admeasuring Ac.18-09 gts. in Sy.No.313 situated at Chalakurthy Village, Peddavura Mandal, Nalgonda District, pursuant to the order passed by the Government in G.O.Ms.No.628 Revenue (K) Department, dated 19-05-1975 and as per the Board Standing Orders, as illegal and arbitrary.

It is not in dispute that the land in question was acquired by the Government for the purpose of constructing Nagarjuna Sagar Project after paying compensation to the petitioners. But, however, the learned counsel appearing for the petitioners contended that in fact the land in question is not used for the purpose of constructing Nagarjuna Sagar Project and, therefore, the petitioners seek to reassign the land in question in their favour.

On the other hand, learned Government Pleader appearing for the respondents submits that the issue raised in this writ petition is squarely covered by the judgment of this court in W.P.No.7794 of 1999, dated 13-04-1999, which was confirmed in W.A.No.953 of 1999, dated 15-07-1999 and the same was also confirmed by the Apex Court in ***C.PADMA vs. DEPUTY SECRETARY TO THE GOVERNMENT***[1] holding that the question of reconveyance of the land to the petitioners therein does not arise.

Following the aforesaid judgments, the learned Single Judge of this

court has also taken same view in ***KOPPULA NARASAIAH Vs. GOVERNMENT OF ANDHRAPRADESH, IRRIGATION AND CAD DEPARTMENT***[2], and held that it is not open for the petitioners therein to seek reconveyance of the land after a long lapse of time.

Following the aforesaid judgments, this writ petition is also liable to be dismissed.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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08-10-2007

Prv

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[1] 1997 (2) SCC 627

[2] 2000 (6) ALT 337